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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/936,685	02/08/2002	Richard Dollet	09669/010001	8964

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EXAMINER

TO, BAOTRAN N

ART UNIT PAPER NUMBER

2135

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/936,685	<b>Applicant(s)</b> DOLLET, RICHARD	
	<b>Examiner</b> Bao Tran N. To	<b>Art Unit</b> 2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 October 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2 and 4-9 is/are pending in the application.
- 4a) Of the above claim(s) 3 is/are ~~withdrawn from consideration~~. *canceled.*
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/20/05.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This Office action responds to the applicant's amendment filed on 10/20/2005. In this amendment, Claims 1-2 and 4-9 are amended and Claim 3 is canceled. Claims 1-2 and 4-9 remain for examination.

#### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-2 and 4-9 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2 and 4-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yu et al. (U.S. Patent 6,067,621) herein referred to as Yu in view of Iijima (U.S. Patent 5,202,922) herein referred to as Iijima.

Regarding on Claim 1, Yu discloses a method for secure loading of secret data from a first module onboard an administration server to at least one second module onboard a public payphone terminal, wherein said first module comprises at least one

file of secret data (col. 7, lines 30-40) associated with at least a type of user card which is used in connection with said second module, said second module comprises a first non-volatile memory and a second volatile memory (col. 6, lines 35-40), the method comprising:

generating at least one random data item (random number) within the second memory (IC card) in the second module (terminal 120) (col. 6, lines 15-20),

recording information comprising said random data item within the first memory (random number memory) of the second module (terminal 120) (col. 9, lines 45-50),

sending the random data item to the first module (server 140) (col. 7, lines 30-40 and col. 8, lines 5-10),

within the first module, encrypting a secret data item in the file of said first module based on the random data item and an encryption algorithm (col. 7, lines 40-60),

transferring information comprising the random data item stored in the first memory of the second module, from said first memory to the second memory of said second module (col. 8, lines 30-50),

Yu explicitly does not disclose "sending said encrypted secret data item to the second module."

However, Iijima expressly discloses sending said encrypted secret data item to the second module (col. 3, lines 35-45).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the Iijima's invention with Yu to include

sending said encrypted secret data item to the second module. One of ordinary skill in the art would have been motivated to enhance the security of the data (Iijima col. 1, lines 10-15).

Yu and Iijima disclose the limitations of Claim 1 above.

Furthermore, Iijima discloses decrypting said encrypted secret data item, based on a decryption algorithm and the random data item, and recording, within the second module, said decrypted secret data item (Iijima col. 3, line 40-50).

Regarding on Claim 2, Yu and Iijima discloses the limitations as discussed in Claim 1 above. Yu further discloses after transferring the information comprising the random data item from the first memory of the second module in the second memory of said module, erasing said information from said first memory (col. 6, lines 40-45).

Regarding on Claim 4, Yu and Iijima discloses the limitations as discussed in Claim 1 above. Yu further discloses wherein the steps of generating and sending the random data item as well as recording the information in the second module, are performed by means of a first command (col. 3, lines 30-40).

Regarding on Claim 5, Yu and Iijima discloses the limitations as discussed in Claim 1 above. Yu further discloses wherein the steps transferring information decrypting the secret data item in the second module and recording are performed by means of a second command (col. 10, lines 1-15).

Regarding on Claim 6, Yu and Iijima discloses the limitations as discussed in Claim 1 above. Yu further discloses wherein the information which comprises said random data item, comprises an index relating to a secret data item (col. 7, lines 10-20).

Regarding on Claim 7, Yu and Iijima discloses the limitations as discussed in Claim 1 above. Yu further discloses wherein several random data items are generated in the second memory of the second module and, after each random data item generation, information comprising the generated random data item is recorded in the first memory of the second module (col. 9, lines 45-50).

Regarding on Claim 8, Yu and Iijima discloses the limitations as discussed in Claim 1 above. Yu further discloses wherein on each loading operation, a random data item is used for loading a secret data item (col. 3, lines 30-40).

Regarding on Claim 9, Yu and Iijima discloses the limitations as discussed in Claim 1 above. Yu further discloses wherein on each loading operation, a unique random data item is used for loading several secret data items (col. 11, lines 60-65).

***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bao Tran N. To whose telephone number is 571-272-8156. The examiner can normally be reached on Monday-Friday from 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2135

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Baotran To  
01/05/2006

  
